

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

**CIVIL MINUTES – JURY TRIAL
Day 6**

Case No.: 1:23CV3

Date: 4/8/2025

KYMBERLY HOBBS,
Plaintiff(s)

Counsel: Mark Krudys
Charles Standley, III

v.

ANTHONY RAYMOND KELLY, ET AL.
Defendant(s)

Counsel: Timothy McAfee
Cameron Bell
Jeremy O’Quinn

PRESENT: JUDGE: James P. Jones
Deputy Clerk: Felicia Clark
Court Reporter: Cynthia Bragg, OCR

Time In Court: 10:04 a.m. - 11:13 a.m.
11:33 a.m. – 12:17 p.m.
1:19 p.m. – 3:15 p.m.
3:40 p.m. – 4:45 p.m.

TOTAL TIME IN COURT: 4 hours 52 minutes

LIST OF WITNESSES

PLAINTIFF	DEFENDANT
1. Kymberly Hobbs	1. Lt. Joe Samaniego 2. Joshua Jackson

PROCEEDINGS:

- ☒ Plaintiff presented evidence and questioned witnesses. ☒ Plaintiff rests.
☒ Defendants’ Motions for Judgment as a Matter of Law as to all defendants.
Court ☒ denies
☒ Defendant presented evidence and questioned witnesses.

Additional Information:

10:04 a.m. – Jury Trial – Day 5 held. All parties were present and ready to proceed. Outside the presence of the jury, counsel discussed the admission of certain exhibits with the Court.

Plaintiff's will move for admission after Mrs. Hobb's testimony. Jurors were brought into the courtroom. Plaintiff's counsel continued to present evidence and question witness. Outside the presence of the jury, oral argument by counsel in re: Kymberly Hobbs' line of questioning by defense counsel. Court addressed issue with defense counsel as set forth on the record. Court recessed at 11:13 a.m. Court resumed at 11:33 a.m. Court precluded defense counsel from any further questioning in re: alleged change of the plaintiff's view of her relationship with the deceased based upon the act in question that happened in Lee County in 2010. Court sets forth his reasoning on the record and the Court excludes the evidence. Court to instruct the jury accordingly. Jurors were brought into the courtroom. Plaintiff's counsel continued to present evidence and question witness. Court recessed for lunch at 12:17 p.m. Court resumed at 1:19 p.m. Outside the presence of the jury, the Court reviewed plaintiff's exhibit 179. Court admitted in part and denied in part. Plaintiff rested. **Oral motion for judgment as a matter of law by defense counsel for Osborne.** Oral argument by counsel. **Court denied motion for judgment as a matter of law as to defendant Osborne. Oral motion for judgment as a matter of law by defense counsel for Plummer, Montgomery, Jackson, and Kelly.** Oral argument by counsel. **Court denied motion for judgment as a matter of law as to defendants Plummer, Montgomery, Jackson, and Kelly.** Court recessed at 3:15 p.m. Court resumed at 3:40 p.m. Jurors were brought into the courtroom. Plaintiff rested before the jury. Defense counsel presented evidence and questioned witnesses. Jurors were released for the day to return at 9:00 a.m. on 4/9/2025. Court discussed trial progression with counsel. Court adjourned at 4:45 p.m.